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TITLE:

**USED PAPER FOR SALE: ARE PACIFIC SETTLEMENT AGREEMENTS
REALLY WORTH ANYTHING?**

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Executive Summary

Title: Used Paper For Sale: Are Pacific Settlement Agreements Really Worth Anything?

Author: Major Sean F. Conroy

Thesis: Pacific settlement agreements are contributors to the peacefulness of a nation.

Discussion: This paper is written within the backdrop of international agreements and the United States' seeming unilateral withdrawal amid public uproar. An attempt was made to find a link between the peacefulness of a nation and its ratification of pacific settlement agreements. Hypothesizing that pacific settlement agreements would influence a nation by both existence and number, regression analysis was performed. The results do not enable the researcher to make predictions about state behavior based on ratification of pacific settlement agreements.

Conclusion: The hypotheses have theoretical support despite the empirical findings. More research is necessary. Future research should concentrate on control variables as well as type of agreement.

DISCLAIMER

THE OPINIONS AND CONCLUSIONS EXPRESSED HEREIN ARE THOSE OF THE INDIVIDUAL STUDENT AUTHOR AND DO NOT NECESSARILY REPRESENT THE VIEWS OF EITHER THE MARINE CORPS COMMAND AND STAFF COLLEGE OR ANY OTHER GOVERNMENTAL AGENCY. REFERENCES TO THIS STUDY SHOULD INCLUDE THE FOREGOING STATEMENT.

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Preface

Pacific settlement agreements are a common element of a nation's international agreement portfolio. While the results of this empirical research do not lend support to an external validity of such agreements, nonetheless the commonality of the agreements remains an issue for further research.

This paper was an effort by me to gain additional knowledge and skill in both a different area of International Relations and methodology. I was encouraged by Dr. David Lektzian of Texas Tech University, a conflict expert, to explore new areas of International Relations. He specifically recommended exploring the legal side of International Relations as, in his opinion, it fit well with my legal background. Having achieved ABD status, I am looking down the road toward a dissertation and defense. This paper allowed me to work towards that goal. I would like to thank Dr. Shibuya for graciously entertaining my unscheduled drops-in to his office and requests for guidance. He provided critical focus at the points where it was most needed.

As yet there is no likelihood of establishing any kind of international power...which can effectively check wrongdoing...I regard trusting to fantastic peace treaties, to impossible promises, to all kinds of scraps of paper without any backing in efficient force, as abhorrent.

- Theodore Roosevelt

Introduction

Much of recent United States ("U.S.") history has been focused on torture. Presidential hopefuls have taken positions ranging from unequivocally opposed to endorsing "enhanced" interrogation techniques (a popular term used to refer to a myriad of techniques ranging from shaking to waterboarding). Confirmation hearings for Attorney General candidates focused on little else, as does repeated congressional questioning of the now-incumbent. This is more than mere election-year politicking. The genesis of the inquiry is allegations by detainees that they were tortured by methods including "severe beatings, water-boarding, excruciating stress positions, mock executions, sleep deprivation and much else."¹ In addition, international attention is focused on a 20 July 2007 Executive Order ("EO") authorizing the director of the Central Intelligence Agency ("CIA") to approve interrogation techniques other than those specifically prohibited by U.S. law. The international attention begins with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ("Convention against Torture") a treaty ratified by the U.S. in 1994. The Senate ratified this treaty with a number of reservations and understandings, stating specifically,

[T]he United States understands that, in order to constitute torture, an act must be specifically intended to inflict severe physical or mental pain or suffering and that mental pain or suffering refers to prolonged mental harm caused by or resulting from (1) the intentional infliction or threatened infliction of severe physical pain or suffering; (2) the

administration or application, or threatened administration or application, of mind altering substances or other procedures calculated to disrupt profoundly the senses or the personality; (3) *the threat of imminent death...*(emphasis added).²

When apparent violations of the treaty were revealed, the current administration made various arguments including that the Convention against Torture only applied to (a) acts committed on U.S. soil, (b) acts constituting full-blown torture as opposed to lesser abuses, and (c) that the President had the power to “override both domestic and international law.”³ The Congress seems resolute in its effort to determine what constitutes torture. A recent bill banning the use of any technique not listed in the Army’s Field Manual 2-22.3 (Human Intelligence Collector Options) was vetoed by the President. This bill was a direct response to the EO authorizing the CIA to use enhanced interrogation techniques.

International Effect

The international community observes these proceedings and must take them into account both when evaluating the usefulness of existing agreements and also the utility of entering into new agreements with the U.S. This paper looks only at pacific settlement agreements which the U.S. has ratified with or without reservation. Two additional levels of analysis flow from this paper. The first is a nation’s utility of entering into an international agreement – on any topic – with the U.S. The second is an evaluation a nation’s utility of entering into international agreements with *any* nation. International agreements are labor-intensive in their drafting and execution; if they are worthless pieces of paper, there is no reason to enter into them.

The U.S. has entered into numerous pacific settlement agreements. These range from global agreements like the Charter of the United Nations (“UN”) to regional

agreements like the Organization of American States (“OAS”). Typically these agreements call for the use of methods other than military action to resolve all disputes. The UN Charter contains language encouraging parties to, “seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means” (Chapter 6, Article 33(1)). References to pacific settlement agreements found throughout the UN Charter, specifically in Chapter 1 (Purposes and Principles) and Chapter 8 (Regional Arrangements).

The Charter of OAS went into effect on 13 December 1951 when two-thirds of the state-signatories ratified. The U.S. ratified on 15 June 1951, though it was signed on 30 April 1948. It too has unambiguous language calling for “peaceful procedures” (Article 3(g)) and even suggesting methods to settle “controversies of an international character between two or more American states” (Article 24). Additional language promoting peaceful resolution is found in Articles 21, 23, 25, and 26.

Despite these agreements, during the years 1946-1998 the U.S. steadily engaged in military disputes with other nations.⁴ These agreements did not easily become part of U.S. law. Article VI of the U.S. Constitution (the Supremacy Clause) states “[t]his Constitution and the laws of the United States shall be made in pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land.” Treaties occupy a realm of law in between the Constitution and general legislation. While treaties must conform to the Constitution, general legislation must conform to both the Constitution and the provisions of existing treaties. Treaties are powerful documents, requiring extensive negotiation by the

executive branch first with the other signatory nation or nations, then with the U.S. Senate. At Article II, Section 2, the Constitution requires that two-thirds of the senate approve ("consent") before any treaty goes into effect. The Senate has three options, they can approve the treaty as proposed, approve it with reservations that define and interpret certain terms or approve it with amended resolutions that must be inserted prior to enactment. The Senate debates about the SALT II treaty (never ratified) beautifully illustrate these concepts (Sartori 1985). Signed by President Carter during June 1979, it passed to the Senate floor from the Foreign Relations Committee burdened with reservations and declarations. These changed the treaty, and, concurrent with the intervening Iran hostage crisis and the Soviet invasion of Afghanistan, it was taken off the table by the President prior to a full ratification vote. In the U.S., treaties are not simply functions of the foreign policy power of the President.⁵

In light of recent history, such as the purported repudiation of the Convention against Torture, an argument is made that the U.S. does not take its written obligations seriously and does not intend to be bound by them. Wilson & Sell (1997, 698) would refer to such obligations as *cheap talk* because the action of ratifying the agreement does not serve to bind the later actions of the signator. Considering the Torture Treaty, the U.S. signed it in 1988 and ratified it in 1994. The ratification included a number of reservations, none of which exempted the U.S. from engaging in the acts recently and popularly described, including waterboarding. The U.S. has come under fire for not only violating the treaty, but also for taking positions designed to minimize the nation's duty to comply.

Pacific Settlement Agreements and the U.S.

What about these pacific settlement agreements? Are they just cheap talk, or do they have an effect on keeping the peace? This paper attempts to explore the relationship between pacific settlement agreements and dispute resolution. I theorize that pacific settlement agreements are more than cheap talk. This leads to the first hypothesis:

H₁: Ratification of a pacific settlement agreement increases the chance that a nation will experience higher incidences of peace.

This hypothesis assumes that merely engaging in the ratification process one time will pay a dividend for a nation in terms of increased peace. There are, however, some obstacles to this. Notably, most nations are members of the UN, a body whose Charter is included among the eligible agreements. This first hypothesis is in many ways rendered as a baseline against which the following hypothesis will be tested.

There is another body of work – based in game theory - that finds repeated cooperative strategies have the effect of increasing the odds of future cooperation. After the repeated solving of security conflicts, nations that would rationally be expected to enter into conflict (“defect” from the agreement in game-theoretic language) will sometimes cooperate (Majeski & Fricks 1995). This leads to the next hypothesis.

H₂: Nations that have entered into more pacific settlement agreements are more inclined to peace.

Peace is directly related to the number of agreements that a nation ratifies. If this is true then as the numbers go up, the conflict goes down. However, if pacific settlement agreements are mere cheap talk, then they will have no effect on the militarized incidents in which a nation is involved.

H₀: Ratification, even in increasing numbers, will have no effect on the peacefulness of a nation.

In any dyadic dispute, the nations have two options to resolve it, peacefully or violently. Fearon (1995) studied dyadic relationships and tried to explain why war occurs. He makes the assumption that under broad conditions the fact that fighting is costly and risky implies that there should exist negotiated agreements that rationally-led states in dispute would prefer to war. He finds that two mechanisms or causal logics explain why states are sometimes unable to locate or agree on such a bargain (381). The first mechanism is the combination of private information about resolve or capability and incentives to misrepresent same. The incentives to represent are integral when evaluating a breached pacific settlement agreement. For the U.S. misrepresentation probably does not occur at signing and ratification (unless the executive is particularly capable in convincing a willing Senate of other-than-true motives) but rather at continued membership without comment. Since the President can unilaterally withdraw from an agreement, it is possible for him to mask his preference and misrepresent by silence. The second mechanism is a state's inability, in specific circumstances, to commit to uphold such a deal. This too is part of the President's discretionary power. It appears that this mechanism is at work considering the current U.S. position regarding the Convention against Torture.

A counter-argument to the cheap talk assertions is that body of research that concentrates on the effect of signals sent by nations. This research utilizes audience cost analysis and generally finds that democracies pay a higher price for failing to follow through on pledges and therefore are more careful in making commitments. Fearon (1997) writes of the comparison between tying hands and sunk costs in signaling foreign policy interests. Pacific settlement agreements are a combination of both and send an

international signal that reverberates at home. Pacific settlement agreements tie the hands of the state because they represent the state's commitment, ratified through domestic processes, to peaceful resolution. When a democracy like the U.S. breaches the agreement, the domestic political process is the main player in the continued power of the breaching government. Breaching an international agreement must have an effect on the domestic politic or else there is no penalty for the executive. If the electorate does not consider the breach in a negative way, such actions are rewarded. "The way an executive handles foreign policy has a strong influence on citizen assessments of overall competence" (Leeds 1997, 817). Conduct of foreign policy as evidenced by ongoing wars, was among the main campaign points during the 1968, 1972, and 2004 elections. Pacific settlement agreements are sunk costs in that enforcement of agreements is difficult in an anarchic world. Therefore, the hard bargaining must be completed prior to the ratification of the agreement. Careful commitment-making is also attributed to selection effect. In other words, nations are risking little when they sign agreements because they intend on complying anyway. If this is so, non-compliance is more than agreement repudiation; it is totally aberrant behavior because it is the exact opposite of a reasoned rational intent to act in accord with the agreement.

Apart from the price paid at home, there is international reputation to consider as well. Keohane (1984, 94) asserts "[a] government's reputation therefore becomes an important asset in persuading others to enter into agreements with it. International regimes help governments to assess others' reputations by providing standards of behavior." The theoretical argument that supports the continued utility of pacific settlement agreements builds on the premise that they are not simply cheap talk. Quite

the contrary, they represent a nation's commitment to using diplomacy and avoiding war as a means of resolving disputes. Diplomacy works; part of that success is attributable to a state's reputation which is gained in part by honest communication about issues that the state values (Sartori 2002). This includes prior state behavior vis-à-vis agreements into which the state has entered. Proponents of pacific settlement agreements believe that signatories will engage in less conflict because of a reputational risk involved with reneging. Along these lines commitment to multiple agreements will involve increasing reputational costs associated with repudiation of an increasing number of agreements. Abbot and Snidal (1998) found that reneging on an agreement affected not only the future dyadic relationship, but also a nation's future relationship with other nations that are part of the agreement. This may manifest itself in interactions outside of the subject matter of the agreement currently at issue.

Peace between these two nations may also be a function of the shared values that resulted in the signing of the agreement by both nations. Russett and O'Neal (2001) find that democracy, extensive trade ties, wealth, and military alliances all significantly increased the likelihood that two nations would have joint membership in an international organization ("IO"). Substituting "pacific settlement agreement" for "international organization" shows this premise directly supports H₂ (increasing number of memberships in pacific settlement agreements yields a lower incidence of conflict). Mitchell and Hensel (2007, 726) find that "[a]s the number of shared IO memberships increase, the effects on member preference alignment are amplified, which reduces further the temptation to renege on peaceful settlements." These authors referred to this as the passive effect of membership. In other words, the IO membership had no effect on

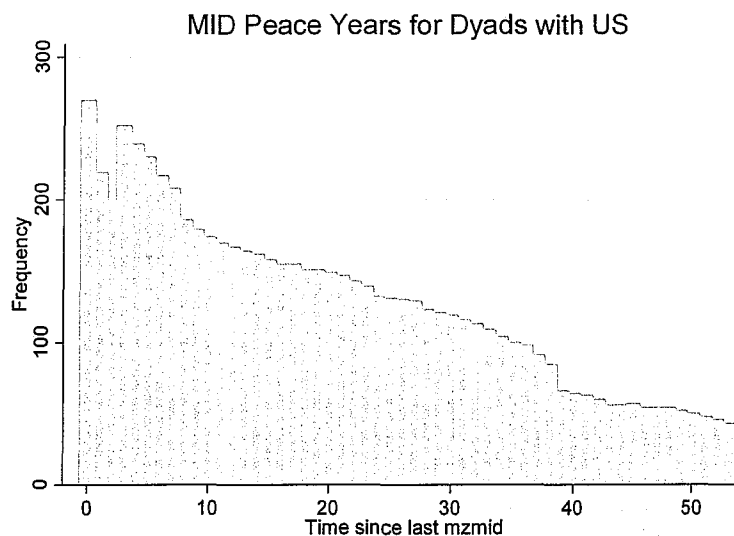
influencing the decision to reach an agreement, but increasing joint membership served as a predictor of compliance for agreements that were enacted.

Research Design

The unit of analysis in this study is the dyad-year for the years 1946 – 1998 in which the U.S. was a member. The original dependent variable was a count variable and therefore first runs were done using a Poisson model. After identification of the shortfalls of the dependent variable (DV), a simple regression model was used. Extensive research has been conducted on the causes of war, particularly looking at the factors that make dyadic conflict more likely. This research led directly to the control variables chosen.

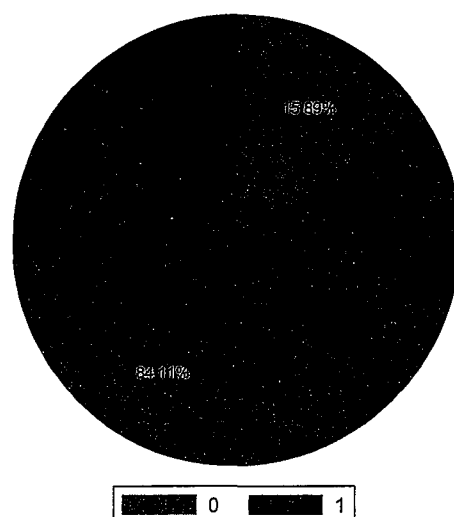
Dependent Variable (DV)

Peace years is an interval variable that reflects the years of non-militarized interstate dispute (“MID”) defined by the Correlates of War (“COW”) project as “united historical cases in which the threat, display, or use of military force short of war by one member state is explicitly directed towards the government, official representatives, official forces, property or territory of another state” (Jones, Bremer, and Singer 1996, 168). This variable ranges from 193 dyad years (2.82 percent) free from MIDs to 49 dyad years (.71 percent) of continuous dispute. Figure 1 generally illustrates that as the number of years increases, the number of dyad-years of peace decreases:



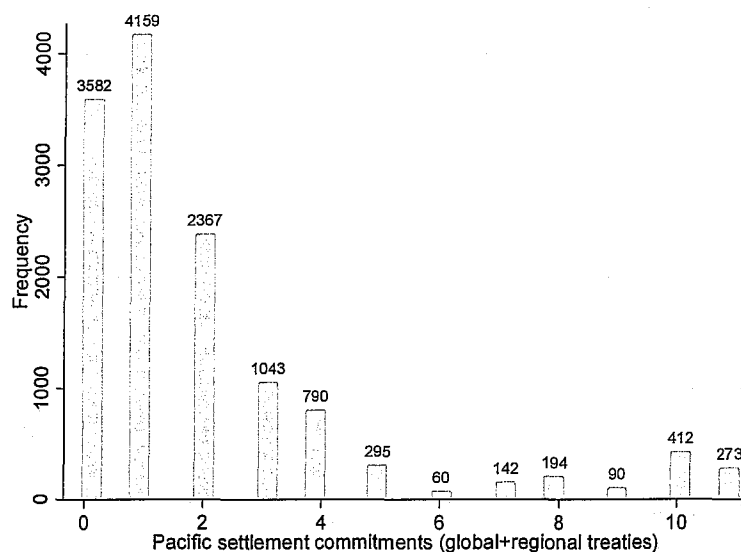
The data on which this graph is constructed, and on which I premised my research has proven to be deceptive. The main problem that this data has is the differing lifetimes of Post-World War II states. While the data accurately reflects fifty-three years without a MID between the U.S. and Great Britain, there are only thirty-six years of peace between the U.S. and Jamaica. Looking deeper does not reveal a conflict between the U.S. and Jamaica but instead reflects the reality of a nation that has been in existence as an independent nation since 1962. Thus a false picture is painted by the raw data and the use of absolute numbers is not supportable. I developed another DV, *midpeaceyrsscore*, that normalizes this absolute number based on the length of the dyad's relationship. I divided the number of peace years by the number of years of the relationship and built a DV with a value between zero and one by dyad by year. This reveals something completely different. Peace is actually very prevalent in the dyad-system that includes the U.S. A vast majority of the values (84.11%) are "1" indicating that there has been no MID. Figure 2 illustrates the difference.

Compares Peace Years with MID Years



Independent Variable – Pacific Settlement Agreements (Hensel 2001)

Pacific settlement treaty obligations is an interval variable developed by looking at multilateral treaties – defined as more than five nations – that explicitly call for the pacific settlement of disputes (Hensel 2001). The data is organized by dyad and year within the guidelines established by the COW project, however this is not the COW data. The data includes global treaties and all regional treaties that both members of the dyad were members of during a single year. The global treaties to which the U.S. are a party include the United Nations Charter, the International Court of Justice (“ICJ”), acceptance of the ICJ optional clause, and reservations attached to the ICJ Optional Clause.⁶ The regional treaties that included the U.S. are the Treaty on Compulsory Arbitration, American Treaty on Pacific Settlement (Pact of Bogota), the OAS, the Montevideo Convention on Rights and Duties of States, and the Inter-American Treaty on Pacific Settlement (Rio Pact). For the data set, this variable ranges from zero (26.72 percent) total dyadic memberships to 11 (2.04 percent) total dyadic memberships, with a mean of 2.05. The data is illustrated in Figure 3.



Control Variables

In order to assess the affect of pacific settlement agreements it is essential to control for the variables that either cause peace or promote conflict. Comprehensive theories and studies of dyadic conflict have been completed by others and this paper does not seek to duplicate those studies. This previous research, however, emphasizes that controls must be in place that “could be responsible for a spurious control variable’s relationship with the main exploratory variable.” (Ravlo, Gleditsch, and Dorusson 2003, 528).

Previous empirical studies have found correlation between contiguity (variously defined as a function of linear distance versus purely a shared border) and conflict. “Either because of opportunity, willingness or both, bordering states have a higher risk of experiencing disputes than distant states.” (Gartzke, Li, and Boehmer 2001, 409). Bremer (1992) considers contiguity so critical in explanations of dyadic conflict that he suggests that is must be included in every study of war. Gleditsch and Singer (1975) found that intercapital distance was a significant predictor of conflict between nations. I

will account for this predictor by introducing the capitol-to-capitol linear distance as a control variable. I used the natural log of this distance to control for large variations in distance between states' capitals. The log value retains its theoretical meaning since it implies an increasing peace incidence with increasing distance. According to Barbieri (1996) it should make little difference whether a nation is five, ten, or twenty times as far from one state as from another, proximity should produce similar effects when distances are small. Greater distances yield more peace.

The second independent variable is affinity measured with the Gartzke data (2000, updated 2006). This number is a measure of the similarity of nations within a dyad. The unit of analysis is the dyad year. In developing the database, Gartzke (2000, 196) noted that the “[a]ffinity index...relies on an information source that is less distorted than are alliance portfolios. Votes in the UN General Assembly are often thought to be largely only of symbolic value. If so, then they serve the purpose of an index of similarity well. Even issues that are of significant importance to members of the Assembly seldom have the impact of forming an alliance (or, for that matter, of decisions in the Security Council).”

The measures come from the votes in the UN General Assembly as opposed to the state-commitment votes that occur in the UN Security Council. The lack of decision-making power of the General Assembly is a good alternative to measures based upon formal alliance portfolios (Alesina and Dollar 2000). Add this symbolism to the one-state-one-vote system and it becomes clear that the most powerful nations will not prevail over the assembly in such a way that voting is predictable. Instead, the ability of one nation to externally influence another will determine the vote casting in the UN (Keohane

and Nye 1989). Since a higher score will indicate an increased affinity, this measure controls for any apparent impact of the pacific settlement agreement that can be explained by a general dyadic affinity. Perhaps these nations settle agreements because they are a lot alike. Of course, there is a tautological argument to be made as well: Nations may co-sign pacific settlement agreements because they are so similar. This measure was also chosen over pure alliance data because there are still some mixed results when looking at the effect of alliances on dyadic conflict. Bueno de Mesquita (1981) found that peaceful alliances was a myth, in fact, the opposite was true, allies tended to enter into conflict with each other. Alliances were likely to be involved in conflict. Bremer (1992, 226) in his broad look at the factors influencing dyadic conflict found, “[a]lliances...reduce significantly the likelihood of war between allies...” This is the current prevailing and more intuitive view. Mitchell and Hensel (2007) found that alliances influenced the initial decision of whether or not to enter into an agreement, but not on subsequent compliance with the agreement. Thus the affinity data is a control that captures the essence of dyadic parallel better than alliance membership. Of course Bueno de Mesquita’s finding also supports the *cheap talk* null hypothesis. Joint membership in a mutual support treaty should, all else equal, translate to peace among the signatories of that agreement. The affinity data must be included if for no other reason than its predictive nature may be the best indicator of whether or not pacific settlement agreements are worth the effort.

The research on trade has produced mixed results. Generally speaking, trade is related to conflict at the high and low ends of the spectrum. Broad characterizations of the main disciplines of international relations indicate that the liberal view is that high

trade, even imbalanced trade reduces the likelihood of war (Polachek 1980). This unqualified view of the relationship is not without substantial detractors. Barbieri (1996) looks deeper into the link between trade and conflict and finds that low to moderate degrees of interdependence decrease the risk of a MID, yet extensive interdependence increases the risk and countries of extreme interdependence have the greatest chance of becoming involved in a MID. Barbieri modified existing theory by looking at the differences in dependence between two states. She hypothesized that asymmetries of dependence would increase the likelihood of conflict and shows this curvilinear relationship through empirical research. Further muddying the trade waters is Copeland (1996) who introduces a *salience* variable and lends support to a theory that while levels of trade are an important determinant of conflict, the commodity traded must also be evaluated. Some items are more valuable than others. Copeland makes the following assertion, "American and European dependence on Middle East's oil exports, combined with plummeting expectations for future trade, were probably the key factors leading the United States and Europe to unite against Iraq in 1990-91. It is not hard to envision future scenarios in the Persian Gulf involving fundamentalist Iran or a resurgent Iraq that could dictate a repeat of the Gulf War, this time with perhaps far more devastating consequences" (40). As an economist he discounted the effect of Iraq's invasion of Kuwait. The realist view of trade is that high trade is indicative of a high dependency on the other state. As a result, a nation must use force to overcome the vulnerability. Gains from trade are evaluated not in terms of absolute gain but in terms of relative gain. Therefore, even if high trade was present and two nations benefiting, conflict may ensue because of a true or perceived imbalance in relative gains that was allowing the trading

partner to advance faster (Snidal 1991). War, though undesirable, is more desirable than either the consequences of losing the traded economy or losing relative position in the international system (Copeland 1996). This fits in well with a view that membership in a pacific settlement agreement will reduce war. In democracies, domestic processes are the driving force behind both the dyadic trade variable and the pacific settlement variable. As discussed above, the U.S. ratification process ensures that the domestic voice is heard. High levels of trade should indicate high levels of peace and therefore must be among the control variables. For the reasons discussed in the section on capitol-to-capitol distance, I used the log of total dyadic trade. These figures came from the Barbieri research and represent a total of the trade between the two countries without reference to either direction or salience.

Results/Discussion

The results of the empirical testing are shown at Table 1. Each of the variables is significant at the .01 level. The overall significance of the results is questionable since the general measure of goodness-of-fit is low. Even if a better model was presented, pacific settlement agreements have a negative coefficient.

<i>Table 1: Peace Years Regression Analysis</i>		
Peace Years	Coef.	Std. Err.
Pacific Stlmt Agmt	-.0167942	.0011628
Trade	.0052552	.0013059
Affinity	.0940083	.0077224
Distance	.0431358	.0020165
Pseudo-R	:	.1476
Number	:	5984

An interpretation of the results shows little about whether or not the existence of a pacific settlement agreement in and of itself is sufficient to reduce the likelihood of a

MID. Accepting the results for what they are indicates that as pacific settlements increase peace years decreases. Based on these findings I cannot yet reject the null hypothesis. There is no compelling evidence that either the existence or increased number of pacific settlement agreements has an effect on increasing the amount of peace in the system.

Table 2 shows the results of logistic regression after transforming the DV into a binary variable. This too is not very encouraging. Again, pacific settlement agreements have a negative coefficient amid a poorly fitted model. Neither of these results lends any support to either hypothesis. Therefore it is not possible to reject the hypothesis that pacific settlements are nothing more than cheap talk.

Table 2: Peace Years Logistic Regression Analysis		
Peace Years	Coef.	Std. Err.
Pacific Stlmt Agmt	-.1861613	.0123733
Trade	.0089617	.0178978
Affinity	1.175317	.1036719
Distance	.2531925	.0200977
Pseudo-R	:	.1256
Number	:	5984

These results do not allow the researcher to make many conclusions. They do, however, lend support to the theory that peace does not hinge on one type of international interaction. Pacific settlements alone are not the key to ensuring a conflict-free system. The Camp David accords of 1979 are often held up as a model of pacific settlement. This paper indicates that it is not the piece of paper that keeps Egypt and Israel conflict free, but a combination of the commitment memorialized on paper along with other incentives including the U.S.'s rebuilding of destroyed infrastructure and subsequent billions of annual aid. Some further avenues can better illustrate the usefulness of this research.

Future Avenues (a/k/a Research Shortfalls)

Additional Controls

While there is no compelling evidence that democracies are less conflict-prone, there is evidence that democracies engage in conflict less often with other democracies (Russett 1990). *Regime type* seems, therefore, an appropriate control.

Similarly, *path dependence* is also an appropriate control. War begets war and peace begets peace. Conceptually, however, this is a problem that I have been unable to solve. Cubic splines provide a solution that enables me to smooth out the influence of continued peace, however, this destroys the count variable in the DV. One option, suggested by Ravlo, Gleditsch, and Dorussen (2003) is to recode the DV so that it shows total peace years by state year. Since the chance of continued peace should increase as peace years accumulate, I can then factor in the baseline while looking for different effects of an increasing number of pacific settlement agreements.

Intergovernmental Organization (“IGO”) – sometimes called International Organizations or International Institutions – membership is another compelling control. Mitchell and Hensel (2007) used international organizations as a control variable in their study of agreement compliance and found it to be significant. Boehmer, Gartzke, and Nordstrom (2004) found that salience was a key factor in determining whether or not an IGO was effective. They found that institutionalized IGOs and IGOs with a security mandate promote peace.

This brings *issue salience* to the forefront. While research supports the premise that proximity is a predictor of disputes, this says nothing about the reason for the dispute – it is not necessarily a territorial dispute. Future research should look at the types of

conflicts resulting in dyadic war and what types of disputes are settled peacefully. For some nations, territory is both the predictor and the cause (100% correlation!). Issue salience is also a function of a state's internal politics which may alternatively favor security issues and ideological issues (Sartori 2002).

The IV under consideration, pacific settlement agreements, can be further broken down into global treaties and regional treaties. The effects of one versus the other is also an area ripe for research. While it appears that there is little effect on global conflict, there may be a local effect among nations that have closer geographical ties.

¹ "Is Torture Ever Justified?" *The Economist*, 7, September 20, 2007. Also found at, http://www.economist.com/world/international/displaystory.cfm?story_id=9832909

² For complete text of reservations see, United Nations, Treaty Series, vol. 1465, p. 85. Also available at <http://www2.ohchr.org/english/bodies/ratification/9.htm>.

³ *Ibid.* fn. 1.

⁴ For a comprehensive look at the treaties that are part of the dataset, see the Paul R. Hensel, "Contentious Issues and World Politics: The Management of Territorial Claims in the Americas, 1816-1992," *International Studies Quarterly* 45, no. 1 (2001): 81-109. Hensel, Paul R. Codebook for Multilateral Treaties of Pacific Settlement v1.4. 2008. Available at <<http://data.icow.org>>.

⁵ However, the repudiation of a treaty can be accomplished unilaterally by the President. See, *Goldwater v. Carter*, 444 U.S. 996 (1979) for a discussion of the President Carter's unilateral decision to end the mutual assistance treaty with Taiwan and recognize the People's Republic of China as the sole government in China.

⁶ The U.S. is not a member of Singapore Declaration of Commonwealth Principles, the Non-aligned Movement, and the Organization of the Islamic Conference.

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